

REMARKS

At the time of the Office Action dated October 8, 2004, claims 1-16 were pending. Applicants acknowledge, with appreciation, the Examiner's allowance of claims 13 and 16. Applicants also acknowledge, with appreciation, the Examiner's indication that claims 4-11 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 1-3, 12, 14 and 15 have been rejected under 35 U.S.C. §102(e) as being anticipated by Arimoto et al.

In the statement of the rejection, the Examiner asserted that Arimoto et al. discloses a semiconductor memory device identically corresponding to what is claimed. This rejection is respectfully traversed.

The factual determination of lack of novelty under 35 U.S.C. §102 requires the identical disclosure in a single reference of each element of the claimed invention, such that the identically claimed invention is placed into the possession of one having ordinary skill in the art. *Helifix Ltd. v. Blok-Lok, Ltd.*, 208 F. 3d 1339, 54 USPQ2d 1299 (Fed. Cir. 2000); *Electro Medical Systems S.A. v. Cooper Life Sciences, Inc.*, 34 F.3d 1048, 32 USPQ2d 1017 (Fed. Cir. 1994). Based on this legal tenet, Applicants submit that Arimoto et al. does not disclose a semiconductor memory device including all the limitations recited in independent claims 1 and 12, which defeats the factual determination that Arimoto et al. identically describes the claimed invention within the meaning of 35 U.S.C. §102.

Arimoto et al. is directed to a semiconductor memory device having cell plate electrodes allowing independent power supply for each redundant replacement unit. The Examiner asserted

that Arimoto et al. discloses a semiconductor memory device including all the limitations recited in claims 1-3, 12, 14 and 15. However, Applicants emphasize that the Arimoto et al. does not disclose a semiconductor memory device including, among other things, “a plurality of cell plates... each isolated at least electrically from the others,” recited in claims 1 and 12 (emphasis added).

The Examiner asserted a cell plate electrode line CPa in Fig. 4 of Arimoto et al. corresponds to the claimed cell plates. However, Fig. 4 of Arimoto et al. does not explicitly or implicitly describe that cell plate electrode line CPa is at least electrically isolated from others.

Rather, Arimoto et al. explicitly discloses that its cell plate electrode line is not electrically isolated from others. The reference describes, “Each cell plate electrode line is supplied with a constant reference voltage (cell plate voltage VCP)” (column 5, lines 34-35). Further, the reference states, “Each of conductive lines 14a and 14b is connected to cell plate electrode conductive layer 5 via a contact 15” (column 7, lines 60-62) and Fig. 3 shows that all cell plate electrode lines CPs are connected to the common conductive lines 14a and 14b through respective contacts 15 (see also Figs. 5 and 6, and relevant description). It is apparent from Arimoto et al. that all cell plate electrode lines CPs are supplied with cell plate voltage VCP and therefore, each cell plate is not isolated at least electrically from others.

The above-described fundamental deficiency of Arimoto et al. undermines the factual determination that Arimoto et al. identically describes the claimed invention within the meaning 35 U.S.C. §102. Applicants, therefore, submit that the imposed rejection of claims 1 and 12 under 35 U.S.C. §102(e) for lack of novelty as evidenced by Arimoto et al. is not factually viable.

Applicants note that a dependent claim is not anticipated if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claim. Therefore, claims 2, 3, 14 and 15 are patentable because they respectively

include all the limitations of independent claims 1 and 12. The Examiner's additional comments with respect to those claims do not cure the argued fundamental deficiencies of Arimoto et al.

Accordingly, Applicants respectfully solicit withdrawal of the rejection of claims 1-3, 12, 14 and 15 under 35 U.S.C. §102(e) and favorable consideration thereof.

It is noted that Fig. 8 of Arimoto et al. appears to show that cell plate electrode lines CPs may be isolated electrically from each other using cell plate voltage lines 14a and 14b as well as external pads 60a and 60b. The reference states, "In the burn-in test, external pads 60a and 60b can be supplied with cell plate voltage VCP1 and VCP2 for test, which are independent from each other" (column 13, lines 38-40). However, there is no clear description (throughout column 13) as to whether different voltages are supplied to respective external pads 60a and 60b during a normal operation, because Fig. 8 (the third embodiment) is directed to a burn-in test. Moreover, it is apparent that external pads 60a and 60b are supplied with common cell plate voltage VCP according to column 5, lines 34-35 during the normal operation. This is so because memory cells MCs in the reference are normal DRAM cells each storing 1 bit, and thus persons skilled in the art can appreciate that normal data storage is not possible without the supply of a constant reference voltage (cell plate voltage VCP) to each cell plate electrode line. That is, the "plurality of cell plates each isolated at least electrically from the others" is used with a "plurality of memory cells being divided into a plurality of storage units each formed of the two memory cells bearing complementary data" (i.e., twin cell unit configuration), as recited in claims 1 and 12.

In addition, since cell plate voltage VCP1 and VCP2 are supplied in the burn-in test as described above, it is also apparent that the limitation "each of said cell plates is electrically floated" recited in claims 14 and 15 is not disclosed by Fig. 8 of Arimoto et al.

Conclusion.

Accordingly, it is urged that the application is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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Recognition under 37 C.F.R. 10.9(b)

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